

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figures 10-12. These sheets, which include Figures 10-12, replaces the original sheet including Figures 10-12. In Figures 10-12, the legend "Prior Art" has been added.

Attachments: Replacement Sheet

REMARKS

Claims 1-8 are pending in the application.

By the foregoing Amendment, Figures 10-12 of the drawings are amended to add the legend "Prior Art." These changes are believed not to introduce new matter, and entry of the Amendment is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Objections to the Drawings

On page 2 of the Office Action, the legend "Prior Art" was required for Figures 10-12. Amended Figures 10-12 are accordingly submitted herewith.

Objection to the Claims

On page 2 of the Office Action, claims 4-8 were objected to under 37 CFR § 1.75(c) as being in improper form due to a multiple dependent claim depending from a multiple dependent claim. In a telephone conference with Applicant's undersigned counsel on March 9, 2005, Applicant's counsel advised the Examiner that a Preliminary Amendment was filed concurrently with the present application, in which the multiple claim dependencies were canceled; and the Examiner advised that according to PAIR, the Preliminary Amendment did not appear to have been received.

Applicant accordingly submits a copy of the Preliminary Amendment, a copy of the date-stamped postcard showing receipt of the Preliminary Amendment, and a printout from PAIR obtained on March 10, 2005 listing the Preliminary Amendment. In addition, for the Examiner's convenience, the pending claims are re-presented in this Response.

The Invention as Claimed in Claim 1

Claim 1 is set forth below with reference numerals from the specification and drawings to assist the Examiner in understanding the relation between the present invention as claimed in Claim 1 and the embodiment described in the specification and drawings.

1. An apparatus for holding a stable condition at two positions comprising:

a driving magnet (130) having driving magnetic poles and adapted to be movable in two directions;

a driven magnet (140) having driven magnetic poles arranged to be always repulsed by the driving magnetic poles and adapted to be movable in two directions;

a motion limiting means (144; 146) for limiting the movement of the driven magnet (140); and

a driving means (150f; 150g) for driving the driving magnet (130) in two directions;

wherein a direction of the repulsion force applied to the driven magnet (140) by the driving magnet (130) is changed, at a stage during which the driving magnet (130) is moved to a first moving direction by the driving means (150f; 150g), to a second acting direction of repulsion force opposite to a first acting direction of repulsion force which has been caused until said stage;

and wherein a direction of the repulsion force applied to the driven magnet (140) by the driving magnet (130) is changed, at a stage during which the driving magnet (130) is moved to the second moving direction opposite to the first moving direction by the driving means (150f; 150g), to the first acting direction of repulsion force opposite to the second acting direction of repulsion force which has been caused until said stage.

Referring to Reference Figure 1A submitted herewith, in the present invention as claimed in Claim 1, the driving magnet (130) can be moved in two directions by means of a first driving element portion (150f) and a second driving element portion (150f) of an alloy wire (150). The driving means is defined by the first driving element portion (150f) and the second driving element portion (150f).

Further, the driving magnet (130) and the driven magnet (140) exert magnetic force with each other.

Referring to Reference Figure 2A submitted herewith, in the present invention as claimed in Claim 1, the force acted on the driven magnet (140) is changed as the driving magnet (130) is moved.

Thus, in the present invention as claimed in Claim 1, the direction of the repulsion force applied to the driven magnet (140) by the driving magnet (130) is changed, at a stage during which the driving magnet (130) is moved to a first moving direction by the driving means (150f; 150g), to a second acting direction of repulsion force opposite to a first acting direction of repulsion force which has been caused until said stage and the direction of the repulsion force applied to the driven magnet (140) by the driving magnet (130) is changed, at a stage during which the driving magnet (130) is moved to the second moving direction opposite to the first moving direction by the driving means (150f; 150g), to the first acting direction of repulsion force opposite to the second acting direction of repulsion force which has been caused until said stage.

U. S. Patent No. 6,157,779 (KOSAKA et al.)

U. S. Patent No. 6,157,779 (KOSAKA et al.) discloses an image shake correcting optical apparatus using an engaging mechanism for a lens holder.

Referring to Reference Figure 1B submitted herewith, the apparatus in KOSAKA et al., comprises:

- driving coils (12a; 12b) attached to a lens holder (11) and adapted to be rotatable in two directions;
- driven magnets (14a; 14b) for driving the driving coils (12a; 12b);
- engaging contacts (16b) for contacting the lens holder (11) in pressure;
- engaging member (16) for moving the engaging contacts (16b) so that the engaging contacts (16b) can be in pressure contact from the lens holder (11) at room temperature; and
- coil springs (17) for pushing the engaging contacts (16b) towards the lens holder (11).

In the apparatus in KOSAKA et al., the engaging member (16) is formed of shape memory alloy. At room temperature, the engaging contacts (16b) are in pressure contact from the outside with the lens holder (11). When the engaging member (16) is heated to a prescribed temperature by means of a heater (19), the engaging member (16) returns to the memorized shape such that the engaging member (16) comes away from the lens holder (11). The engaging member (16) is provided for maintaining the lens holder (11) in place and the engaging member (16) formed of shape memory alloy is used to create the pressure contact

between the engaging contacts (16b) and the outside with the lens holder (11). That is, the engaging member (16) formed of shape memory alloy can only move the engaging contacts (16b) toward the lens holder (11) or away from the lens holder (11) when it is retracted. When the engaging member (16) formed of shape memory alloy is moved, the driving coils (12a; 12b) are not moved.

Such features of KOSAKA et al. are described in line 1 of column 3 to line 38 in column 4 of U. S. Patent No. 6,157,779.

Referring to Reference Figure 2B submitted herewith, in KOSAKA et al., the force applied to the engaging contacts (16b) by the engaging member (16) is shown by the decreasing line 16m and the force applied to the engaging contacts (16b) by the coil springs (17) is shown by the increasing line 17m.

The direction of the force applied to the engaging contacts (16b) shown by the decreasing line 16m is not changed when the engaging contacts (16b) are moved. Similarly, the direction of the force applied to the engaging contacts (16b) shown by the increasing line 17m is not changed when the engaging contacts (16b) are moved.

Rejections under 35 U.S.C. § 102

On page 2 of the Office Action, claims 1 and 2 were rejected under section 102(b) as being anticipated by Kosaka et al. This rejection is respectfully traversed as being based upon a reference that does not teach or suggest the claimed invention.

That is, the present invention as claimed in Claim 1 requires that a driving means (150f; 150g) can drive the driving magnet (130) in two directions and that the direction of the repulsion force applied to the driven magnet (140) is changed at a stage during which the driving magnet (130) is moved from a first moving direction to a second acting direction of repulsion force opposite to a first acting direction of repulsion force which has been caused until said stage and the direction of the repulsion force applied to the driven magnet (140) is changed at a stage during which the driving magnet (130) is moved from the second moving direction to the first acting direction of repulsion force which has been caused until said stage, as mentioned above.

On the other hand, KOSAKA et al. requires that a driving means (16; 17) can drive the engaging contacts (16b) in two directions. In this connection, the engaging contacts (16b) can be in pressure contact from the outside with the lens holder (11) to which the driving coils (12a; 12b) are attached. However, the engaging contacts (16b) can not drive the driving coils (12a; 12b) in two directions.

That is, in KOSAKA et al., the repulsion force applied to the driven magnets (14a; 14b) by the driving coils (12a; 12b) can not be changed, at a stage during which the driving coils (12a; 12b) are moved from a first moving direction by the driving means (16; 17), to a second acting direction of repulsion force opposite to a first acting direction of repulsion force which has been caused until said stage; and the direction of the repulsion force applied to the driven magnets (14a; 14b) by the driving coils (12a; 12b) can not be changed, at a stage during which the driving coils (12a; 12b) are moved to the second moving direction

opposite to the first moving direction by the driving means (16; 17), to the first acting direction of repulsion force opposite to the second acting direction of repulsion force which has been caused until said stage.

In view of the foregoing, it is respectfully submitted that KOSAKA et al. does not teach the invention as claimed in Claim 1, or in Claim 2 depending therefrom, and that the rejection should be withdrawn.

Rejections under 35 U.S.C. § 103

On page 3 of the Office Action, claims 1-3 were rejected under section 103(a) as being unpatentable over Kosaka et al. This rejection is respectfully traversed as being based upon a reference that does not teach or suggest the claimed invention, for the reasons stated above with respect to the rejection of claims 1 and 2 under section 102(b). It is therefore respectfully submitted that the rejection should be withdrawn.

Other Matters

The invention as claims in Claims 4-8, which depend from Claim 1, is believed to be patentable over KOSAKA et al. for the reasons stated above with respect to the rejection of Claims 1 and 2 under section 102(b).

Conclusion

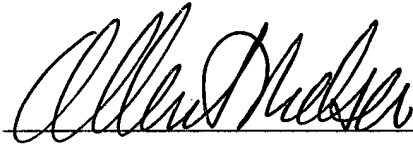
All objections and rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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Reference Figures 1A, 1B, 2A, and 2C